

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.RAMACHANDRAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 18TH DECEMBER, 2006 /27TH AGRAHAYANA, 1928

WP(C).No. 18118 of 2006(F)

(Order in I.A.No.1936/2005 in OP.720/2005 of Family Court,Thrissur)

.....

PETITIONER/RESPONDENT:

K. ARAVINDAKSHAN,
POOLAKKAL PARAMBU HOUSE, VAVULLIPURAM, ALATHUR,
NOW RESIDING AT P.B.NO.412, POSTAL CODE 112,RUWI,
SULTANATE OF OMAN, REPRESENTED BY POWER OF
ATTORNEY HOLDER, K.JANARDHANAN, POOLAKKAL PARAMBU
HOUSE, VAVULLIPURAM, ALATHUR.

BY ADV. SRI.S.M.PREM
SMT.K.P.SANTHI

RESPONDENT/PETITIONER:

SUSHA,
KAKKASSERI VEEDU, VIYOOR, THRISSUR.

BY ADV. SRI.M.H.HANIL KUMAR
SRI.A.P.VASAVAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX (WP(C) NO.18118 OF 2006)

PETITIONER'S EXHIBITS:

- Ext.P1: Copy of O.P.No.720 of 2005 filed by the respondent praying for maintenance.
- Ext.P2: Copy of the affidavit and petition in I.A.No.2936 of 2005 in O.P.No.720 of 2005.
- Ext.P3: Copy of the objection filed by the petitioner on 15-10-2005.
- Ext.P4: Copy of the salary certificate issued to the petitioner from Oman.
- Ext.P5: Copy of the order dated 10.10.2005 in I.A.No.2936 of 2005 in O.P.No.720 of 2005 passed by the Family Court, Thrissur.

RESPONDENT'S EXHIBIT:

- Ext.R1: Copy of the certificate dtd.3.8.2006 issued by the Principal.

-True Copy-

P.A.to Judge.

M. RAMACHANDRAN & A.K.BASHEER, JJ.

W.P.(C).NO. 18118 OF 2006 F

Dated this the 18th day of December, 2006

J U D G M E N T

Ramachandran, J.

The order passed as Ext.P5 by the Family Court whereby there was a direction for payment of interim maintenance is challenged in the present proceedings.

2. However, we notice that due opportunity had been given to the petitioner to partake in the proceedings and from the counter affidavit, it is seen that the respondent is in need of money and the matrimonial relationship continues.

3. In the aforesaid circumstances, we do not find it necessary to intervene at this stage. Without prejudice to the rights of the petitioner, if any, to move appropriately in due course, the writ petition is dismissed.

Sd/-

M. Ramachandran, Judge

sd/-

A.K.Basheer, Judge

Mbs/

DBA NO.

: -2- :

**M. RAMACHANDRAN &
A.K.BASHEER, JJ**

W.P.(FC).NO. OF 200

DBA NO.

:3:

J U D G M E N T

DATED: -11-2006

DBA NO.

:-4:-